

### **REMARKS/ARGUMENTS**

Claims 1, 3-4, 6-7, and 41-50, as amended, and new claims 51-53 are pending in this application for the Examiner's review and consideration. Claims 2, 5, 8-40 are canceled. Claim 6 was amended to depend from claim 1 and to have antecedent basis for the term "sample." New claim 51 is similar to claim 6 but depends from claim 4. New claim 52 depends from claim 1 and is directed to a kit. New claim 53 depends from claim 4 and is directed to a kit. Now new matter is added by these claim amendments and new claims so that there entry at this time is warranted.

### **INTERVIEW SUMMARY**

Applicants appreciate the courtesy extended to Applicants' attorney, Paul E. Dietze, in a telephonic interview on June 24, 2009. This Amendment is being submitted in response to the interview.

The Examiner indicated that the claims were allowable and that withdrawn "method of detecting" claim 6 would be rejoined if amended to depend from claim 1 and to have antecedent basis for the term "sample." Accordingly, claim 6 was amended as described above.

The Examiner also indicated that a "method of detecting" claim, similar to claim 6 but depending from claim 4, would also be allowable. Accordingly, new claim 51 was added.

The Examiner also indicated that a "kit" claim, similar to canceled claim 30 but depending from claim 1, would be allowable. Accordingly, new claim 52 was added. Claim 53 was also added, which is similar to claim 52 but depends from claim 4 rather than claim 1.

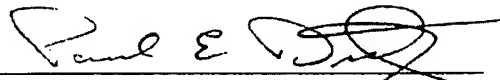
### **CONCLUSION**

It is respectfully submitted that all claims are now in condition for allowance, early notice of which would be appreciated. Should the Examiner disagree, Applicant respectfully requests a telephonic or in-person interview with the undersigned attorney to discuss any remaining issues and to expedite eventual allowance of the claims.

No fee is believed to be due for this submission. Should any additional fees be required, please charge the required fees to Townsend and Townsend and Crew LLP deposit account no. 201430.

Date: June 24, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul E. Dietze", written over a horizontal line.

Paul E. Dietze, Ph.D. (Reg. No. 45,627)

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